

July 3, 2018

Mr. Henry Leskinen
Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, MD 21057

Re: Income One Oakland Park Property
Forest Buffer Variance
Tracking # 04-18-2741

Dear Mr. Leskinen:

A request for a variance from the Baltimore County Code, Article 33, Title 3, a Law for the Protection of Water Quality, Streams, Wetlands and Floodplains, was received by this Department of Environmental Protection and Sustainability (EPS) on June 11, 2018. If granted, the variance would allow the applicant to encroach into three separate areas of the 35-foot setback to the proposed Forest Buffer Easement (FBE) and Forest Buffer and Forest Conservation Easement (FB&FCE), totaling approximately 530 square feet (sf), in order to subdivide the property and construct two single family dwellings. A minimum 23-foot setback would be provided in lieu of the required 35 feet.

The property is 1.2 acres, 0.5 of which are in area that will become FBE and FB&FCE, as there are two isolated wetlands on the eastern end of the property, in addition to an isolated forested wetland just west of the property boundary. No buildings or other manmade structures currently exist on the lot. No direct impacts to Forest Buffer or wetland are proposed; however, if the full setback is applied, it will not be possible to build the two desired dwellings.

This Department has reviewed your request and has determined that a practical difficulty exists in fully complying with the 35-foot setback required in Section 33-3-111(d). Furthermore, impacts to water quality would be minimized given that no wetlands, streams, or forest will be directly impacted by granting this variance, as a 23-foot setback will still be maintained at minimum.

Therefore, we will grant this request in accordance with Section 33-3-106 (a)(1) of the Baltimore County Code, with the following conditions:

1. The following note must appear on all subsequent plans submitted for this project:

“A variance was granted on July 3, 2018 by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow a 23-foot setback to the Forest

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Buffer Easement in lieu of the required 35 feet. The development shown hereon reflects the fact that this variance was granted. Conditions were placed on this variance to reduce impacts to water quality including posting of the Forest Buffer Easement with protective signage.”

2. “Forest Buffer-Do Not Disturb” signs shall be installed along the FBE limit at 50-foot intervals or any turn in the FBE prior to EPS approval of any building or grading permit. Information regarding the signs including a list of sign suppliers is enclosed for your use.
3. The FBE and FB&FCE and their Declarations of Protective Covenants must be recorded in Baltimore County Land Records prior to minor subdivision approval.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout will require submittal of revised plans and a new variance request.

Please have the party responsible for meeting the conditions of this variance sign and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Ms. Libby Errickson at (410) 887-3980.

Sincerely yours,

David V. Lykens
Deputy Director

DVL/lbe

Enclosure

I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

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Owner's/Developer's Signature	Date
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Printed Name

s/EPS/EIR/Libby/Income One Oakland Park Prop FBV 7.3.18.docx